IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WP(C).No. 9690 of 2007(C)

OPMV.1276/1993 of MOTOR ACCIDENT CLAIMS TRIBUNAL, PALAKKAD

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PETITIONER:

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1. C.PRABHAKARAN, S/O.CHAMI,AGED 55 YEARS.

2. R.SRIDEVI,W/O.C.PRABHAKARAN.
RESIDING AT NARTHUMKALAM HOUSE,KUNISSERY P.O,
ALATHUR TALUK,PALAKKAD DISTRICT.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENT:

KERALA STATE ROAD TRANSPORT CORPORATION,
THIRUVANANTHAPRUAM,REP.BY ITS MANAGING DIRECTOR.

BY SRI.JOHSON P.JOHN, SC FOR KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 9690 OF 2007-C

JUDGMENT

The petitioners have filed I.A.Nos. 962 & 963/2007in O.P.(MV) No.1276/1993, praying to allow them to withdraw the amount deposited under the award passed in their favour. They pray for early disposal of those applications, as they are in dire need of money. The learned M.A.C.T has filed a statement in which it is submitted that the I.As will be taken up in accordance with their turn and orders will be passed. This submission is recorded. The learned counsel for the petitioners prays for showing some preference to the applications of the petitioners. But, I feel that this Court is not justified in tinkering with the roster of the Tribunal. If this Court do that, then it will be an incentive for all other petitioners to come to this Court and finally a stage may come when only the applications of those persons who get a direction from this Court alone will be considered by the M.A.C.T. So, the Tribunal shall go strictly in accordance with the priority of the applications. But, this direction will not affect the discretionary powers of the Tribunal to overlook the priority in extremely deserving

cases.

The Writ Petition is dismissed with the above observations.

28th March, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/